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REMARKS/ARGUMENTS

Reconsideration of this application in view of the claim amendments and the following remarks is respectfully requested. Claim 26 is amended with this response. Claims 1-4 and 21 have been acknowledged allowable. Claims 1-33 are pending.

35 U.S.C. §112

Claims 5-11, 20 and 26-33 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

With respect to claim 5, it was stated that "indicator" is new matter. Please note the Summary at paragraph 0007 which describes "an alarm for indicating" and the Detailed Description at paragraph 0013 which describes the step of "indicating when a sensed value..." Applicant respectfully submits that at least in light of these two statements the "indicator" recited in claim 5 is not new matter and claims 5-11 satisfy the written description requirement. Withdrawal of the rejection is respectfully requested.

For the sake of expedient allowance of the pending claims, claim 26 has been amended to remove the limitation "vibratory alarm." Withdrawal of the rejection is respectfully requested.

With respect to claim 27, it was stated that the specification fails to teach the sensor being partially within the wall of the liner. Please note the Detailed Description at paragraph 0033 which describes "force sensing resistors...placed on the liner mold prior to pouring...By placing the resistors in the liner, the sensors were flush with the inner wall of the liner..." Applicant respectfully submits that at least this statement teaches a sensor partially within the wall of the liner and that claims 27-33 thus satisfy the written description requirement. Withdrawal of the rejection is respectfully requested.

35 U.S.C. §102(b)

Claims 5-7, 9-16, 18-22, 24-30 and 32-33 were rejected under 35 U.S.C. 102(b) as being anticipated by Mak.

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Claim 5 recites, in part, an apparatus for monitoring the environment of the prosthetic socket of an artificial limb having a residual limb contained therein, including at least one sensor positioned at least partially within a wall of the socket and an indicator of when a value sensed by the at least one sensor is beyond a value limit.

In Mak, the output of sensors positioned in the socket is used to monitor socket conditions and for computational modeling of socket performance. The Examiner stated that "a doctor knows the sensed value is beyond normal limitations of the body...and makes adjustments (indicator)." Applicant respectfully suggests that Mak does not teach or suggest a doctor making adjustments upon knowing that a sensed value is beyond normal limitations. Rather, the sensed values are input into "a computational modeling [that] can be integrated...for computer-aided socket design and manufacturing." Furthermore, even if Mak does disclose a doctor making an adjustment, Mak does not teach or suggest that the doctor makes an adjustment because he "knows the sensed value is beyond normal limitations of the body and causes physical harm." Rather, their motivation for doing would more likely be to improve computational modeling output even though sensed values are within what might be considered by the doctor to be normal limits. Finally, Applicant respectfully suggests that the actions of a doctor do not anticipate a limitation in an apparatus claim. Therefore, any adjustment made by the doctor is not "an indicator of when a value sensed...is beyond a value limit." Withdrawal of the rejection is respectfully requested.

Claims 22-24 were rejected under 35 U.S.C. §102(b) as being anticipated by Havey. The Applicant respectfully requests that the Examiner point to the language or drawings contained in Havey considered to anticipate claims 22-24.

Claims 12-13 and 15-19 were rejected under 35 U.S.C. §102(b) as being anticipated by Wilson and Sabolich.

Claim 12 recites, in part, a method for monitoring aspects relating to a sock, the method comprising sensing at least one of pressure and force, and at least one of temperature and moisture, with respect to at least one of the socket, the residual limb and a space there between.

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In Wilson, only compressive forces or pressures are sensed, not temperature or moisture. Nothing in Wilson teaches or suggests sensing at least one of pressure and force and at least one of temperature and moisture. Furthermore, the sensors are positioned at an interface between the foot and the leg pylon. [Col. 3, Lines 3-18] A resilient member is interposed between the foot and the leg pylon to absorb pressure and force and reduce the pressure or force on the residual limb in the socket. Thus, the sensors do not sense pressure or force with respect to at least one of the socket, the residual limb or a space therebetween.

In Sabolich, only compressive forces or pressures are sensed, not temperature or moisture. Nothing in Sabolich teaches or suggests sensing at least one of pressure and force and at least one of temperature and moisture. Furthermore, the sensors are positioned at the artificial foot. [Col. 5, Lines 25-30] Therefore, the sensor does not sense either pressure or force with respect to at least one of the socket, the residual limb or a space therebetween. Sabolich does describe output elements such as electrical contacts positioned in the socket in contact with the residual limb. However, these contacts are for delivering electrical current to the residual limb, not for sensing pressure or force.

None of the cited references teaches or suggests the inventive method as claimed in claim 12. Therefore, withdrawal of the rejection is respectfully requested. Claims 13 and 15-19 depend from claim 12 and are allowable for at least that reason.

35 U.S.C. §103(a)

Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wilson or Sabolich. Claim 14 depends from claim 12 and is allowable for at least that reason. Withdrawal of the rejection is respectfully requested.

CONCLUSION

All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is respectfully solicited. If


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there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

No fee is believed to be necessary for the entry of this paper. Should any fee be required for entry of this paper, the Commissioner is authorized to charge the Faegre & Benson Deposit Account No. 06-0029 and in such event, is requested to notify us of the same.

Respectfully Submitted,

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